COBB COUNTY COMMUNITY DEVELOPMENT
ENCROACHMENT INTO A COBB COUNTY STREAM BUFFER and
REQUEST FOR BUFFER AVERAGING

(Required to Conduct Land Disturbing Activities within a Cobb County Stream Buffer)
Authority: Cobb County Code, Chapter 50-75

SPECIAL NOTE: Please be advised this application applies only to Cobb County's enhanced stream buffers as identified in Cobb County Code 50-75. The Director may allow a variance to or buffer averaging within county-mandated buffers that is at least as protective of natural resources and the environment. "At least as protective" is defined as no net decrease in the square footage of the county-mandated buffer. Any request to allow a variance that would result in a net decrease of the county-mandated buffer must be approved by the Cobb County Board of Zoning Appeals in accordance with Sections 134-34 and 134-94. Any proposed land disturbance within 25 feet of any state water, as defined in Cobb County Code 50-75, must be approved by the Georgia Environmental Protection Division. This approval must be obtained prior to action on this application.

RETURN APPLICATION TO: Director's Office
Cobb County Community Development
P.O. Box 649
Marietta, Georgia 30061
(770) 528-2125
Fax (770) 528-2126

Owner's Name: _____ Telephone: ( )
Address: _____
_____
_____

Signature: _____ Date: _____
24 Hour Contact Person: _____ Telephone: ( )
Project Name: _____ Fax: ( )
Total Project Acres: _____ Pager: ( )
Drainage Area Intercepted (in square miles): _____ Mobile: ( )
Location of Project (also attach location map):
Land Lot & District: _____
Directions to Project: _____
_____
_____

Name of Stream(s) involved: _____
(NOTE: If unnamed, indicate the stream that this tributary flows into.)

1. Describe the Proposed Land Disturbing Activity within the enhanced buffer. (Include "to scale" drawings [2 copies] to support the detailed description and an erosion control plan, including 5 foot contours, delineation of forested and open areas within the buffer, and detailed plans of proposed impervious cover/surface within the buffer and setback.)

_____
_____
_____
_____
_____
_____

2. Explain why you need to encroach into the enhanced buffer.

_____
_____
_____
_____
_____
_____

3. Provide detailed calculations and exhibit demonstrating no net decrease in the square footage of the county-mandated buffer.

4. What alternatives have been considered which would keep the project outside the enhanced buffer area? (Briefly explain each alternative and why they could not meet your needs.)

5. Describe the hardship that would be created if the variance/encroachment was not approved. (Financial considerations cannot be sole consideration.)

6. Describe the present condition of the enhanced buffer. (Is it forest cover, grassland, developed, disturbed, etc.?)

7. After the project is completed, compared to present condition, will natural filtering capacity of the buffer be: (Check one) _____improved; _____impaired; _____remains the same

8. If the natural filtering capacity is impaired, what mitigation measures will be taken to offset this loss?

9. What will the long-term impacts of the project be on the buffer?

Cobb County Enhanced Buffer
Encroachment Application Instructions

Cobb County Code 50-75 prohibits land-disturbing activities within 50 - 200 feet of designated streams within Cobb County. A completed application form is required for evaluating requests for such approval. Please be advised that the Georgia Erosion and Sedimentation Act, as amended (Code Section 127-6(15)) prohibits land disturbing activities within 25 feet (horizontally) of state waters without approval from the Director of the Environmental Protection Division. A completed application form is also required for evaluating requests for such approval. EPD approval (for any land disturbance within 25 feet of state waters) must be obtained prior to action on this application.

Please answer all questions as thoroughly as possible; using the following numbered instructions that correspond to the numbered items on the application form.

1. Describe the proposed project in detail. How much land will be disturbed? For how long? What structures and paved or gravel areas will be built? What is the planned long-term use of the area? Include two copies of plans drawn to scale and two copies of an erosion and sedimentation control plan.

2. Explain your need to encroach within the enhanced buffer. What would be the impact to the project if it were not allowed to be constructed within the buffer? How does the topography of the site affect the project? How wide a buffer will be left undisturbed?

3. Provide detailed calculations and exhibit demonstrating no net decrease in the square footage of the county-mandated buffer.

4. Describe other alternatives for using the property that would avoid encroachment within the enhanced buffer. Include scaling down or reorienting the proposed use. Explain why each alternative does not allow reasonable use of the property. Requests, which are based on creating extra lots or non-passive amenity areas, are generally considered inappropriate.

5. N/A

6. Describe the buffer area as it exists now. What kind of vegetation is present? Has the contour been altered by man's activities in the past? Are there buildings, parking lots, sewer lines, or other man-made structures present? Is it flat or hilly? What kinds of soils or rock are present?

7. Using the following paragraph as a guide, explain how the natural filtering capacity of the buffer area, after the project is completed, will compare with present conditions.

   Stream buffers act as natural filters that absorb sediment and other pollutants from water that runs off surrounding land. The best buffers are those that have abundant natural vegetation, porous soils, or wetlands that promote slow release of runoff so that dissolved and suspended material is absorbed before reaching the stream. If the condition of the soils and vegetation, the slope of the land, and the use of the buffer area will be approximately the same after the project is completed as before it started, then the project will likely have little long-term impact. If the project increases impervious surfaces, destroys or alters vegetation, channels runoff, or increases soil compaction through heavy use, the filtering capacity will be impaired. On the other hand, actions that restore lost vegetation, replace existing impervious surfaces with natural conditions, and reduce soil compaction may improve the buffer's filtering capacity.

8. If your response to Item 7 indicates an impaired buffer function, explain in detail what mitigation measures you propose to offset the loss and how these measures will actually work. What width of undisturbed buffer would be maintained after the project is completed?

9. Explain the long-term impacts of the project. For example, installing an underground utility line may have little long-term impact on the soils, vegetation, or slope of the area because these can be quickly restored to original conditions. Roads, structures, or other projects that increase or alter the area's use will likely have considerable long-term impact.